**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR**

**ORDER**

**M/s P.K. Seeds & Anr. vs. The Rent Tribunal, Sriganganagar & Anr.**

**(S.B.C.Writ Petition No.1656/07)**

Dated :-26.10.2007

**HON'BLE MR.JUSTICE SANGEET LODHA**

Mr. C.S.Kotwani, for the petitioner.
Mr. J.K.Bhaiya, for the respondent.

**BY THE COURT:-**

This writ petition is directed against order dated 21.2.2007 passed by the learned Rent Tribunal, Sri Ganganagar in Rent Petition No.30/03, whereby the prayer of the non applicant-petitioner to lead the evidence on an additional issue framed by the learned Tribunal on 14.11.2006, at the stage of final hearing, has been rejected.

The additional issue framed by the learned trial Court relates to the denial of the title of the applicant-respondent over the suit premises. It is to be noticed that the additional issue has been framed by the learned trial Court at the stage when the matter was taken up for final hearing, therefore, the learned trial Court was not justified in denying the opportunity to the non applicant- petitioner to lead the evidence on the issue.

The learned counsel appearing on behalf of the applicant-respondent in all fairness submitted that a single opportunity to lead the evidence may be granted to the non applicant-petitioner

and at the same time, the learned tribunal may be directed to decide the application preferred by the applicant-respondent for eviction of the non applicant-petitioner from the suit premises within a reasonable period.

The submissions made by the learned counsel for the respondent appears to be reasonable. Accordingly, this writ petition is disposed of with the direction that the non applicant-petitioner shall produce his entire evidence on the additional issue framed by the learned tribunal on the date to be fixed by the learned tribunal . No further opportunity shall be granted by the learned tribunal to the non applicant-petitioner to lead the evidence. The applicant-respondent shall also be given an opportunity to lead evidence in rebuttal, if so desired . The evidence of the parties may be completed within a period of two months from the date of this order. The learned tribunal is further directed to finally dispose of the application after hearing both the parties within a period of one month thereafter. The parties are directed to appear before the learned tribunal on 13th November, 2007. The writ petition stands disposed of accordingly.

**(SANGEET LODHA),J.**